

any matter of internal policy? What became of that large class of rights, of legislative rights, which belonged to every State in the Union, to pass such laws as they pleased in the exercise of their police powers, not in conflict with the Constitution of the United States. These reservations of power to the Legislatures of the States for wise municipal purposes it may become necessary to exert, with a view to prevent the conflict and clashing of one interest against another, or with a view to prevent one class of our citizens from having an all-absorbing, controlling power in the State, or, if you please, for the purpose of dividing political power among the various sections of the State. If, in the exercise of such clear inherent rights, the States do nothing to infringe constitutional grants or constitutional prohibitions, where was the objection?

Was he told that by districting the State, they would superadd a qualification which was not contained in the Constitution of the United States? It was not so: very far from it. The Constitution of the United States said, that a Senator should be an inhabitant of the State from which he was chosen. This was the length and breadth of the constitutional provision. Was it superadding a qualification to the Constitution, to say, that for wise purposes, a Senator should come from a particular portion of the State? Would he not be still an inhabitant of the State? Clearly. There would be no violation of the Constitution in all this, because nothing in conflict with its general purpose or design. It might become a matter of great interest and importance to the States so to arrange and classify their different sections as to promote an equal and just distribution of political power and political honors among the different portions of their citizens.

He would ask his friend from Kent, who had said that we lived in a Christian country, that we were a Christian people, a Christian community, and who desired to see laws passed by the Legislature to recognize that fact, and to stamp upon every man who was an infidel, and did not believe in the existence of God or a future State of rewards and punishments, an incapacity to hold office, whether it would not be competent for this Convention to declare that such a man should not hold an office either under the State or Federal Government? This, in his (Mr. B's) opinion, would not conflict with the Constitution of the United States. The Constitution of the United States not having declared such persons to be eligible, the States might declare them to be ineligible without coming in conflict with the Federal Government. He would say that it was in the power of every sovereignty, an inherent power, necessarily belonging to them, in the enactment of wise and wholesome laws, to exclude from office men whom they supposed to be dangerous to the body politic, and justly offensive to the moral and religious sense of the community. The office of Senator of the United States was not exclusively an office of the United States Government. It was an office created, to be sure,

by the Constitution of the United States, but created for the States, because the States were represented in the Senate by men of their own selection and appointment, as the representatives of sovereign States. They were not merely federal officers; they were officers of the United States, acting in federal harmony and federal concert, under the provisions of the Constitution of the United States. They were not less State officers, because their mode of appointment was prescribed by the Constitution of the United States. They were, in fact, State officers, whose election was provided for by federal compact, but who were elected under and by virtue of the sovereignty of the States. In that view, he held that it was competent for a State to declare that an infidel, or person who did not believe in the existence of a God, should be disqualified from holding a seat in the Senate of the United States, and by so doing, not infringe the constitutional provision.

In the fourth section, the power was expressly reserved to the States to prescribe by law the times, places and manner of holding elections for Senators, as well as for Representatives. What did the word "manner" mean? The gentleman from Kent said that it meant the mode in which the election itself should be conducted—that is to say, whether it should be by ballot, or viva voce, or by the joint or separate action of the two Houses of the Legislature. He agreed with him that this was a part of its meaning; but did it necessarily mean this, and nothing else? In Johnson's dictionary the word "manner" is said to be synonymous with mode, and mode with method, and method meant the "placing of things in performing operations in such order as was most convenient to attain some end." In this sense he supposed the word to be used in the Constitution of the United States, because it is proper to assume that it was used in a sense of which it was legitimately susceptible by the rules of the English language.

The Legislature of this State, in 1809, when they passed the law dividing the State into Senatorial districts of the Eastern and Western Shores, seems to have used the word in the same sense, for the very title of the law was "an act to define and fix the mode of electing U. S. Senators"—the word "mode" being considered as synonymous with the term "manner," as used in the Constitution of the United States. Now, mode was synonymous with method, they meant one and the same thing. Dr. Johnson, in his definition of the word "method," had thrown more light upon the subject, than he had in his definition of either the word "manner" or "mode." Method, he tells us, is "the placing of several things or performing operations in such order as was most convenient to attain some end." Now he asked his friend, the gentleman from Kent, to give this meaning to the term "manner" as used in the Constitution of the U. States, and then to say whether the Legislature of a State, in prescribing the manner of electing Senators, might not perform the operation in such order as might be most convenient to attain some useful end—some end connected